

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM PARKER	)	No. 2:23-cv-2102
	)	
Plaintiff,	)	
	)	
v.	)	JURY TRIAL DEMANDED
	)	
EDWARD C. GAINEY, et al.	)	
	)	
Defendants.	)	

**MOTION FOR LEAVE TO FILE AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P.**  
**15(a)(2)**

1. On December 13, 2023, Plaintiff William Parker, filed suit against the City of Pittsburgh (“City”) and other individual defendants pro se alleging violations of his constitutional rights pursuant to U.S.C. § 1983. (ECF No. 1).
2. On February 16, 2024, the City filed a motion to dismiss for failure to state a claim. (ECF No. 12).
3. On March 12, 2024, Mr. Parker filed a motion to extend time which was granted on March 15, 2024. (ECF Nos. 14 and 16).
4. On March 25, 2024, Ms. Hallam filed a motion to dismiss for failure to state a claim. (ECF No. 17). Mr. Parker was ordered to file a brief in response on or before April 16, 2024. (ECF No. 18).
5. On May 10, 2024, a motion to dismiss for failure to state a claim as to Edward C. Gainey. (ECF No. 21). Further, partial motions to dismiss for failure to state a claim were filed as to Kerry Ford, Michael Gay, and Larry Sciroto. (ECF Nos. 21, 23, 25, and 27). Mr. Parker was ordered to file an omnibus brief in response to the Defendants’ motions on or before June 10, 2024.
6. Undersigned counsel was retained by Mr. Parker on June 6, 2024.

7. On June 6, 2024, undersigned counsel contacted Assistant City Solicitor Hillary Weaver requesting consent to the instant motion and allowing forty-five (45) days for the filing of same. Attorney Weaver consented as to the City of Pittsburgh, Mr. Gainey, Officer Gay, Officer Sciroto, Officer Ford, and Officer Ferrilli. Additionally, undersigned counsel attempted to contact Attorney Elisabeth Bennington, counsel of record for Ms. Hallam, for consent to the instant motion and was informed to direct the request to Attorney Brad Korinski.
8. On June 10, 2024, Attorney Korinski responded by email consenting to the instant motion.
9. Mr. Parker, by and through counsel, requests leave of this Honorable Court to amend his pro se complaint with the assistance of his newly acquired attorney. Mr. Parker requests forty-five (45) days to file the amended complaint to allow sufficient time to confer with his attorney and conduct ongoing investigation into the matter. The Defendants in this matter have all consented to this Motion through counsel.
10. A proposed order is attached.

WHEREFORE, the Plaintiff, William Parker, respectfully requests that this Honorable Court grant his request to file an amended complaint within forty-five (45) days.

Respectfully submitted,

SMT LEGAL

Date: 6/10/2024

/s/Ryan Nye Gailey  
Ryan Nye Gailey, Esquire  
*Attorney for Plaintiff*  
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**CERTIFICATE OF SERVICE**

I, Ryan Nye Gailey, Esquire, hereby certify that a true and correct copy of Plaintiff's MOTION FOR LEAVE TO FILE AMENDED COMPLAINT PURSUANT TO FED. R. CIV. P. 15(a)(2) and CERTIFICATE OF CONFERRAL have been served this 10<sup>th</sup> day of June, 2024, by electronic mail and/or U.S. Postal Service, upon the following:

Hillary Weaver City of Pittsburgh Law Department 414 Grant Street Ste 3rd Floor Pittsburgh, PA 15219 412-255-2014 Email: hillary.weaver@pittsburghpa.gov	Juliana Tindall City of Pittsburgh Law Department 414 Grant Street Ste 3rd Floor Pittsburgh, PA 15219 412-255-2015 Email: juliana.tindall@pittsburghpa.gov
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Respectfully submitted,

SMT LEGAL

Date: 6/10/2024

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